

## **Emergency Order for Temporary Moratorium on all construction projects in Tisbury**

In consideration of the State of Emergency in the Commonwealth of Massachusetts declared by the Governor on March 10, 2020 in response to the novel coronavirus Covid-19, and the Governor's order of March 23, 2020, entitled Covid-19 Order No. 13, prohibiting gatherings of more than 10 people until 12:00 noon on April 7, 2020, and the recommendation of the federal government on March 16, 2020 that persons avoid gathering in groups of more than 10 people; and upon the recommendation of Public Safety and Public Health officials, including the Building Commissioner/Inspector of Buildings and the Health Agent; and in consideration of the fact that construction sites are busy locations, often with workers in very close proximity to each other, and often with a single porta-potty or similar equipment as the only facility for bathroom use and personal hygiene for the entire crew of workers and that social distancing and good hygiene practices are simply not always possible; and in order to protect the health of the inhabitants of the Town of Tisbury, the following order shall be implemented until such time as the state of emergency has been lifted.

Effective Wednesday, March 25, 2020 the Town is suspending all regular construction activity in Tisbury, including but not limited to all work authorized by building permits, electrical permits, plumbing and gas permits, and street opening permits, as well as landscaping work and painting work . Upon issuance of this order, all active construction work shall be stopped and any open construction sites shall be secured to prevent unauthorized entry, damage to equipment and/or work-in-progress, and to protect public safety. Operators shall employ the necessary crews and labor to complete the work necessary to secure their sites by 5:00 p.m. on Wednesday, March 25, 2020. After that time only skeleton crews of not more than 2 persons will be permitted to enter construction sites for the remainder of the moratorium and such entry shall be limited to emergency work as defined below. These people must be educated on social distancing and safety procedures intended to prevent the spread of Covid-19.

The only work that will be permitted after March 25, 2020 will be emergency work, which will need to be approved by the Town of Tisbury Building Department.

For purposes of this Order, emergency work Includes only the minimum work necessary to prevent damage to persons or property and/or to ensure the habitability of existing residential structures until such time as this order is lifted, including the following:

- Emergency utility, road or building work, such as to repair water leaks and sinkholes.
- New utility connections to occupied buildings where prior connections are no longer functioning.
- Mandated building or utility work to protect public health and safety.
- Work at health care facilities, shelters, including temporary shelters and other facilities that support vulnerable populations or that provide emergency services.
- Work which ensures the reliability of the Martha's Vineyard transportation network.
- Other work necessary to render occupied residential buildings fully habitable.
- Work necessary to ensure the safety and security of a project under construction.

In addition to such emergency work, the Town will, on a case-by-case basis, review requests for exceptions to the temporary construction moratorium. These may be granted by the Building Commissioner/Inspector of Buildings for building related work or the Public Works Director for street-related work in consultation with the appropriate department head. These will be granted only if they support increased public health and safety.

This order is effective Wednesday, March 25 through 12:00 pm on Tuesday, April 7, 2020, and will be reviewed at regular intervals to determine if it should be modified or amended. No new construction projects may be started at this time, and no new permits will be issued unless they meet the criteria above; and landscaping work and painting work performed by a work crew of any size is prohibited.

Any currently permitted and/or active construction project/work must be in a secure situation by 5:00 p.m. on Wednesday, March 25, 2020.

Any person who violates this Order will be subject to issuance of an immediate Stop Work Order and an assessment of the maximum penalty authorized by law.

So Ordered

TISBURY BOARD OF SELECTMEN

DocuSigned by:  
Melinda F. Loberg  
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DocuSigned by:  
James Rogers  
045E4DF73C0F484...  
DocuSigned by:  
Jeff Kristal  
5548EDED94145B...

TISBURY BOARD OF HEALTH

DocuSigned by:  
Jeffrey Bratt  
75CB0897F22B421...  
DocuSigned by:  
Michael Loberg  
F3A5D88BD7154EE...  
DocuSigned by:  
Malcolm Boyd  
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March 24, 2020

**Amended:** March 25, 2020